

BOARD OF ZONING ADJUSTMENT AREA VARIANCE APPLICATION

PRE-HEARING STATEMENT - BZA Application No. 18653

Foundation Sweet Success, Inc. (Applicant)
3206 Grace Street, NW, Square 1188, Lot 121

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I. Introduction.

Foundation Sweet Success, Inc. (the “Applicant” or the “Foundation”) recently acquired the property and improvements located at 3206 Grace Street, NW, Washington, D.C., Square 1212, Lot 802 (the “Property”) for the express purpose of using the Property as a bakery together with Dog Tag Bakery, Inc. (“Dog Tag Bakery”). Both the Foundation and Dog Tag Bakery are 501(c)(3) charitable organizations. Dog Tag Bakery will use the existing building on the Property (the “Building”) as a retail bakery serving walk-in customers, with the related activity of making and selling dog biscuits to walk-in customers as well as via mail delivery.

The Property is located in the W-1 zone district. The Building, constructed as a commercial building sometime prior to 1958, is a two-story brick structure that occupies approximately 93% of the lot, with no basement or cellar space. Since at least 1958, the first floor of the Building has always been used for nonresidential purposes, including manufacturing, retail, grocery, and restaurant use. The second floor of the Building has, since 1958, been used for manufacturing, retail, and residential use. The entire building has been vacant for approximately seven (7) years. The maximum permitted floor area ratio (FAR) in the W-1 zone district is 2.5 for all uses, but only 1.0 for nonresidential use. The Applicant is therefore requesting area variance relief to use 1.86 FAR, both the first and second floor of the Building, for the nonresidential use proposed herein.

II. Background on Dog Tag Bakery.

The Mission Statement of Dog Tag Bakery is: “To create a bold, new model for transition assistance and job training for veterans with a service-connected disability who served on active duty in the U.S. Armed Forces at any time.” The objectives of the proposed use here are to:

- Produce quality Specialty Breads and Dog Biscuits made by veterans that will service the local Georgetown area.

BOARD OF ZONING ADJUSTMENT
District of Columbia
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EXHIBIT NO. 25

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- Help disabled veterans transition from the U.S. Armed Services to civilian life, including assistance with securing adequate access to quality health care.
- Provide veterans with communication and vocational skills that empower them to contribute their communities through interactions at Dog Tag Bakery.
- Increase confidence and develop business skills through work at Dog Tag Bakery.

Dog Tag Bakery is headed by Father Richard Curry, S.J. Father Curry, resident at the Jesuit residence on the Georgetown campus, founded the National Theatre Workshop of the Handicapped (“NTWH”). The NTWH has successfully trained persons with disabilities in professional theatre and in the business of baking. Father Curry intends to build on the model created as part of NTWH in operating the Dog Tag Bakery in Georgetown. (See a more complete profile of the Dog Tag Bakery program, as well as a probable menu, attached as Exhibit A.)

III. Area Variance Request.

The Property is located in the W-1 zone district. Pursuant to 11 DCMR § 931.2, the FAR limit in the W-1 zone is 2.5, only 1.0 of which is available for nonresidential use. The total FAR of the Building is 1.86. The Applicant is requesting area variance relief in order to use the full 1.86 FAR for the proposed nonresidential use. The Applicant is proposing no addition and no increase in the Building’s gross floor area.¹

This type of variance request – the expansion of a matter-of-right use beyond a building’s nonresidential FAR limit - has recently been determined by the Zoning Commission to be considered to be area variance relief, rather than use variance relief, pursuant to Z.C. Order No. 12-11, in which the Commission adopted a text amendment including § 3103.5(c), which provides that: “Examples of area variances are requests to deviate from: ... (c) Limitations on the extent to which the gross floor area of a building may be occupied by a matter of right non-residential use;” of the Zoning Regulations. This text amendment became effective on June 14, 2013. (D.C. Register, Vol. 60, No. 26, June 14, 2013).

The Board has in the past few years granted several variance requests in the C-2-A zone for expanded nonresidential uses within existing buildings (including 2805 M Street and 1328-

¹ The original plans included a roof deck with a retractable enclosure. In response to concerns about the roof deck, the plans have been revised and no longer include the roof deck or the stairway enclosure to the roof.

1330 Wisconsin Avenue – which actually included an addition) where it found that the owner could not reasonably provide residential use on the second floor of those buildings. In this case (as a result of the recent text amendment), the burden of proof is considerably lower than in those cases. Rather than having to prove that strict compliance with the nonresidential FAR limit of 1.0 would be an undue hardship on the Applicant, the Applicant must merely show that compliance with the 1.0 nonresidential limit would be unnecessarily burdensome as a result of exceptional conditions or situations with the Property.

IV. Description of the Property and Surrounding Neighborhood.

The Property is located at 3206 Grace Street, NW, in Georgetown. It is rectangular in shape and approximately 70.75 feet by 31 feet. The total land area is 2,193 square feet. The Property is about 70 feet west of Wisconsin Avenue. (A copy of the Zoning Map and photographs are attached in the Applicant's Statement filed with the Application.) As such, the Building is located in an area consisting primarily of retail uses to the north and east, and office and residential condominium uses to the east on Grace Street. Adjacent properties include an Eagle Bank branch and its parking lot immediately to the east of the Property, the side of a retail store fronting on Wisconsin Street to the rear, a mixed-use condominium building across a 10-foot wide public alley to the west, and a small office building and retail store (Patagonia) across Grace Street to the north. The Georgetown Park condominiums are across Grace Street and further to the west.

The Building has a history of nonresidential use on both floors. According to the available C of O history included in the application, the first floor has always been used for nonresidential use, including retail, manufacturing, grocery, and restaurant uses. As of 1958 and for many years after that, the second floor was also used for nonresidential purposes, including manufacturing and office space.

V. Requested Relief

The Applicant does not intend any changes to the footprint of the Building or any part of the exterior of the Building. Use of the first and second floors of the Building, under a strict application of the zoning regulations related to FAR limits for nonresidential use, would allow

the use of all of the first floor and a small portion of the second floor. The Applicant is requesting relief that would allow it to use the entire Building (1.86 FAR) for the proposed use.

VI. The Application Satisfies the Burden of Proof for Variance Relief

To satisfy the burden of proof for a variance, the Applicant must demonstrate three elements: (1) exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or exceptional topographical conditions or other extraordinary or exceptional situation or condition; (2) such condition results in peculiar or exceptional practical difficulties or exceptional and undue hardship upon the owner of the property; and (3) the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan. (D.C. Code § 6-641.07(g)(3))(11 DCMR 3103.2).

It is well established that because of the nature of variances and their effects on the zone plan, the stricter “undue hardship” standard applies to requests for use variances while the lesser “practical difficulty” standard applies to requests for area variances. *Palmer v Board of Zoning Adjustment* 287 A.2d 535 (D.C. 1972). The requested relief here is an area variance.

In the past, variance requests for an increase in the permitted nonresidential FAR in a mixed use building have been considered by this Board to be area variances at times and use variances at times. As noted above, the Zoning Commission has adopted a text amendment providing that these types of requests shall be considered as area variances and not use variances. That action by the Zoning Commission has effectively ended the debate on the question of whether this type of request is subject to the higher standard under the use variance test, or the lower, practical difficulty, standard of the area variance test. To prove practical difficulty, an applicant must demonstrate that compliance with the area restriction would be “unnecessarily burdensome.” *A.L.W. Inc. v D.C. Bd. of Zoning Adjustment*, D.C. App., 338 A.2d 428,431 (1975).

A property’s uniqueness is not limited to physical aspects of the land and may be determined by “some difficulty not shared by the entire neighborhood.” *Id.* at 1098. The Court of Appeals held in *Clerics of St. Viator v. D.C. Bd. of Zoning Adjustment*, 320 A.2d 291 (D.C. 1974) that the exceptional situation or condition standard goes to the property, not just the land; and that “...property generally includes the permanent structures existing on the land.” *Id.* at

293-94. The Court held that the exceptional situation standard of the variance test may be met where the required hardship is inherent in the improvements on the land (*i.e.*, the building or structure) and not just the land itself.

Furthermore, the Court of Appeals held in *Gilmartin v. D.C. Board of Zoning Adjustment*, 579 A.2d 1164, 1167 (D.C., 1990), that it is not necessary that the exceptional situation or condition arise from a single situation or condition of the property. Rather, it may arise from a “confluence of factors.”

A. Exceptional Conditions or Situations.

The exceptional conditions and situation with this Property include:

(i) the Building existed in its current density and footprint prior to May 12, 1958, and was a nonconforming building at that time and/or when the property was designated W-1. If the Building had continued with nonresidential uses on the second floor, the proposed use would be either a matter-of-right use or approvable as a special exception for a change in a nonconforming use.

(ii) the Building was originally constructed and configured for nonresidential use, and has a history of such use on both floors dating back to at least 1958.

(iii) the Property is relatively small, with only 2,193 square feet of land, compared to 4,828 square feet for the Patagonia property across Grace Street, 4,112 square feet for the Eagle Bank property to the east, 4,455 square feet for the retail property to the south, and approximately 15,000 square feet for the 3210 Grace Condominium building to the west.

(iv) the Building does not have a basement, which eliminates the ability to have any nonresidential space that does not count against FAR, which for many other properties is the non-FAR space used for storage and administrative functions.

(v) the Building is located in a transitional area, essentially part of the retail section near the intersection of Wisconsin and Grace, and Grace then transitions to residential as it goes to the west.

(vi) the Building has been vacant for about seven (7) years, even though it is in generally good condition and it is located in the center of the Georgetown business district.

B. Practical Difficulty.

Because of the conditions noted above, strict compliance with the FAR requirements of § 931.2 would be unnecessarily burdensome to the Applicant. The small relative size of the Property, along with the large relative footprint of the Building (both conditions existing prior to May 12, 1958), limit the use of the second floor to only a few feet for nonresidential purposes. This can be compared to the surrounding retail uses, which are either permitted as continuing nonconforming uses, or, in the case of Eagle Bank and Patagonia, have much less lot occupancy than does the subject Property, allowing the use of multiple floors.

Also, even though the second floor of the Building has apparently been used for residential use, it was not originally built or configured for nonresidential use, and it was used for nonresidential use for many years. In addition, the size of the second floor, which is essentially too large for a typical apartment size in this area, but not configured well to provide two units, makes providing a mixed use in this Building unnecessarily burdensome, as evidenced by the fact that the Building has remained vacant in recent years.

These conditions present an unnecessary burden, or a practical difficulty, to the Applicant, as such concept is understood by the BZA and the D.C. Court of Appeals: “Increased expense and inconvenience to applicants for a variance are among the proper factors for BZA’s consideration.” *Barbour v. D.C. Board of Zoning Adjustment*, 358 A.2d 327,327 (D.C. 1976). A strict application of the nonresidential FAR requirements for this Property will result in increased expense and inconvenience to the Applicant. In addition to this, while the Applicant understands that the validity of any legal nonconforming use on the second floor has most likely expired, this second floor was used for many years as a nonresidential use, and many other buildings in this area also have second floor nonresidential use. In that sense, the degree of variance being requested is small. Another factor which the BZA can consider in determining the existence of an unnecessary burden to the Applicant is “the severity of the variance(s) requested” *Gilmartin v. D.C. Bd. of Zoning Adjustment*, 579 A.2d 1164 (D.C. 1990).

C. No Substantial Detriment to the Public Good or the Zone Plan.

The Applicant's proposal is compatible with the density and type of uses in the surrounding area. The Building has always been used for nonresidential uses on the first floor, and was used so on the second floor for many years. The proposed use is permitted as a matter-

of-right in the W-1 zone, and the Applicant is asking for relief only to use the existing gross floor area, which happens to be well below the maximum permitted overall FAR of 2.5.

The proposed use is not intensive, and will not attract excessive traffic. In particular, the second floor is proposed to be used primarily for related office and bakery space, and will not necessarily increase the customer occupancy of the Building. Finally, the Applicant and Dog Tag Bakery are non-profit charitable organizations, and the proceeds from this enterprise will be used to further their charitable missions. Any variance relief granted will benefit those organizations and the veterans they serve. For these reasons, granting relief will not be a substantial detriment to the public good or to the integrity of the zone plan.

VII. Special Exception Relief.

The Applicant wishes to amend the Application to include special exception relief under Section 915 for Miscellaneous Uses in the W-1 zone. After consulting with the Zoning Administrator, the Zoning Administrator informed the Applicant that if off-site sales comprised more than fifteen percent (15%) of the overall sales for the bakery, those off-site sales would not be considered accessory to the matter-of-right bakery use. The Zoning Administrator informed the Applicant that the category of “miscellaneous use” pursuant to § 915 of the Zoning Regulations would cover Dog Tag in the event that off-site dog biscuit sales exceed fifteen percent (15%) of the total revenue.

The Application meets the special exception requirements, as follows:

915.2 *The facility shall be designed to enhance the visual and recreational opportunities offered by the Waterfront.*

The exterior changes to the Building have been approved by ANC 2E and the Old Georgetown Board. The bakery will provide a community serving retail use.

915.3 *The use shall not adversely affect the present character or future development of the neighborhood.*

The dog biscuit baking and delivery function of the proposed use will be interior to the Building, and will essentially be accessory to the bakery, although dog biscuit baking will take place on a separate floor from the preparation of the regular bakery items.

915.4 *No dangerous or otherwise objectionable traffic conditions shall result from the establishment of the use.*

The dog biscuit baking operation will not have any effect on traffic conditions. Delivery of the dog biscuits will entail occasional pick ups by UPS, but it is not expected to be any more than any typical Georgetown business.

915.5 *The Board may impose requirements pertaining to the design, appearance, and screening, and other requirements as it deems necessary for the protection of neighboring or adjacent property.*

915.6 *Before taking final action on an application for the use, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report. The report shall include the recommendations of all appropriate District agencies.*

The Office of Planning will have reviewed this application.

Waiver of Notice Requirement.

The Applicant requests that the Board waive the notice requirement for amending the application to include this special exception request. The amendment does not change the intended program of Dog Tag Bakery or how it has been represented to the public, but is instead just a response to clarification from the Zoning Administrator on a portion of the intended use and its potential to run afoul of strict compliance with the W-1 use regulations., in the event of off-site sales of more than fifteen percent (15%). The Applicant informed the ANC, prior to its September 30 meeting, that it would also be requesting this relief, and ANC 2E considered and recommended approval of that request as well as the variance. Additionally, the Applicant's Notice on the Property also includes mention of the special exception request.

VIII. Witnesses for the Hearing.

- A. Father Rick Curry, S.J., CEO of Dog Tag Bakery
- B. Rich Markus, Project Architect (CV Attached as Exhibit B.)

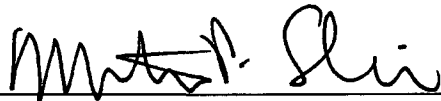
IX. Community Support.

The Application enjoys the enthusiastic unanimous support of ANC 2E, as well as several neighbors. A copy of the ANC 2E resolution and neighbor support letters are attached as Exhibit C.

X. Conclusion.

For the reasons stated above, this application meets the requirements for area variance and special exception relief, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Martin Sullivan", written over a horizontal line.

Martin Sullivan
Sullivan & Barros, LLP

Date: 10/22/13

Exhibit A

Profile of Dog Tag Bakery and Probable Menu

Dog Tag Bakery

Georgetown, Washington, D.C.

Father Rick Curry, S.J.
Georgetown University
rjc63@georgetown.edu

Dog Tag Bakery, Inc., is a 501(c)(3) not-for-profit organization that aspires to create a bold, new model for transition assistance and job training for veterans and their spouses with a service-connected disability. This new model, named the Academy for Veterans-Dog Tag Bakery in Georgetown, is a program aimed at assisting veterans as they are reintegrated to civilian life and private sector work.

The program will support veterans as they operate the bakery, gaining real world experience, while simultaneously pursuing a tailor-made curriculum at the School of Continuing Studies at Georgetown University. Classes will cover small business management, entrepreneurship and personal development, which will teach marketable skills for the future, along with personal counseling, career planning, and leadership coaching that will help ensure full assimilation into civilian life. In short, this work-study program will provide the training and experience needed to apply to, interview for, and secure a paid position in a commercial setting.

The linchpin to our successful program launch is right in the heart of Georgetown near the waterfront. The building is over 4,200 square-feet and will provide a retail location for the bakery and cafe; a production/baking area, a training-and-meeting room and an office space from which to manage the business. Dog Tag Bakery Inc. is led by Father Richard Curry, S.J. from Georgetown University, who has dedicated his life to assisting people with disabilities. Over thirty years ago, Father Curry founded the National Theatre Workshop of the Handicapped (NTWH), a non-profit organization that focused on training persons with disabilities in professional theatre and the business of baking. Father Curry has written a successful book, The Secrets of Jesuit Breadmaking, and has been featured in numerous media outlets such as People Magazine, 60 Minutes, CBS-TV, NBC Nightly News, The New York Times, and Time Magazine. Today, Father Curry lives in Washington, DC, where he is carrying out his vision of helping wounded veterans gain back a sense of achievement that will carry them onto a brighter future.

The need for this organization is evident as the Bureau of Labor Statistics report states unemployment for post-9/11 veterans at 9.2 percent, but revealed a rate more than three times that figure, 35 percent, among post-9/11 vets ages 20-24. A staggering 26 percent of Gulf War-era II veterans have reported having a service-connected disability. We need to take action now to help address a potential employment crisis for our veterans.

We believe our groundbreaking and collaborative program will set a new standard and model for helping our veterans achieve success. We invite you to join us on this remarkable journey. If you'd like to learn more about Dog Tag Bakery, please visit us at www.dogtagbakery.org.

**Dog Tag Bakery featuring Connie's Cookies: Expected
Menu**

Dog Biscuits

Original
Whole Wheat
Rye
Not Chocolate, Chocolate

Breads

Brother's Bread
Whole Wheat
Challah
Baguette*
Croissant*
Poppyseed*
Pumpkin Raisin
Blueberry Ginger
Cranberry Apricot Orange Walnut
Date Nut

Connie's Cookies

Almond Biscotti
Chocolate Chip Cookies
Fudge Brownies

Coffee/Espresso/Tea Bar: lease equipment

Coffee
Espresso
Tea/Hot Chocolate

Other Items:

Bagels
Danish

Exhibit B

CV of Architect Rich Markus

Experience	Rich Markus Architects, Georgetown, Washington DC established March 2000 Principal/Owner The firm was created with an emphasis on creative design-oriented projects. Our projects have included restaurants, retail spaces, commercial office space, residential renovations/additions and detached houses, condominium conversions and mixed-use buildings	
	Inscape Architects, Dupont Circle, Washington DC March 2001-Dec 2002 Principal Design Principal for award winning architecture studio providing professional services in Architecture, Interiors, Landscape Architecture and Furniture/Industrial design. Projects include creative designs for residential renovations/additions and detached houses, retail spaces, commercial office spaces and restaurants.	
	Travis Price Architects, Takoma Park, Maryland 1996 - 2000 Senior Associate Project Architect / Project Manager for commercial, retail and residential projects. Travis Price Architects is an internationally recognized, award winning and extensively published firm specializing in design-oriented projects with a highly metaphorical approach.	
	Lucarelli, Montes and Wells Architects, McLean, Virginia 1990-1996 Project Architect / Project Manager / CADD Manager Design, construction documentation and managing of a variety of project types including commercial, residential, light industrial and health care facilities. This firm is recognized for its quality, efficient designs in a wide range of building types, and its presentation of three-dimensional computer models during the design process.	
	Zinser and Dunn Architects, Vienna, Virginia 1986-1990 Staff Architect Construction documentation and design presentation drawings for a variety of commercial and residential projects. This firm built its reputation on quality mid-rise office buildings in Tyson's Corner, Virginia, and Rockville, Maryland.	
Awards	Cutting Edge Design Award AIA Honor Award	INARI Salon in Washington DC Tara Thai Arlington (with Travis Price Architects)
Media	HGTV's <i>Before and After</i> <i>Look What You Have Done</i>	Manor Residence Renovation Set Design for WETA Television
Publications	Washington Spaces Magazine Salon Today Washington Post Chain Leader Magazine Metropolitan Home Herndon Journal Washington Post	Zein House Renovation, Boffi Studio INARI Salon in Washington DC Tara Thai, Mai Thai, Thaiphon Tara Thai, Velocity Grill Mackenzie Residence The James Building <i>Count Dracula and The Nerd Set Designs</i>
Education	Master of Architecture The Washington-Alexandria Center for Architecture. Virginia Polytechnic and State University, Alexandria, Virginia. Bachelor of Science of Architecture University of Virginia, Charlottesville, Virginia.	
Teaching	Visiting Professor / Studio Critic - Catholic University of America, Washington DC	

FIRM OVERVIEW

Rich Markus Architects was created in 2000 with an emphasis on creative design-oriented projects. Our projects have included exciting restaurants, engaging retail spaces, compelling commercial office space, elegant residential renovations/additions, captivating detached houses and efficient multi-family handicap-accessible housing. We have also created dramatic set designs for local theaters that have received critical acclaim.

Principal Rich Markus has over 25 years of architectural experience in the Washington area with firms that have allowed him to work on a wide variety of projects differing in size, design intent, and use. A creative approach, an eye for elegance, a focus on efficiency and a concern for quality within budget are the key factors that characterize his work. The firm has experience in serving all phases of projects including feasibility studies, design development, construction documents, and overseeing projects through construction. We have many repeat clients which allow us to evaluate design ideas, construction methods and material choices throughout the life of a project.

We strive to use ordinary materials in creative ways and develop imagery that is appropriate for each project. We work closely with the client to express their intent intimately in the finished project. We search for inventive solutions to pragmatic and aesthetic issues and create designs that integrate all aspects of the project. Our designs reflect the nature of a particular project, and range from historic to highly modern, many times combining the two as in the Manor Residence, which was featured on Home and Garden Television's (HGTV's) *Before and After*.

We believe that each project has its own unique design solution. The design process is a collaboration between the owner's ideals, an efficient layout, a realistic budget and the architect's inventive design decisions. The project takes form naturally, efficiently solving the functional issues and imbued with a strong sense of design. The completed project is a creative and functional space that pleases the eye and stirs the soul.

Exhibit C

Letters of Support

September 27, 2013

Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

Re: BZA Variance and Special Exception Application No. 18653;
3206 Grace Street, NW;
Foundation Sweet Success and Dog Tag Bakery.

Dear Members of the Board,

As a long-time resident of the Cherry Hill Neighborhood, I strongly support granting the necessary waiver to the Dog Tag Bakery to permit them full use of the building at 3206 Grace Street for the needs of their enterprise. The Cherry Hill neighborhood is a long-standing community of mixed commercial/residential use with a very rich and colorful history. Today, we have a strong sense of community among the 1000+ residents here, and are happy to welcome an enterprise that will add some additional human interest to our neighborhood, and likewise serve our community.

So many of the new businesses in Georgetown are not serving Georgetown residents with products and services to live here. We are thrilled that there will be a bakery offering goodies to humans and pets alike. We are thrilled that building will be finally occupied and cared for. We are thrilled that the building will be serving our larger community by training veterans for future careers. We look forward to opportunities to volunteer and support this enterprise. And, we hope they find a way to fly the American flag as part of their daily activities.

I urge you to approve their application so they can get up and operating as soon as possible.

Sincerely,

Meg Hardon
1011 Papermill Court NW
Washington, DC 20007

CARLANDERSON

3210 Grace Street #207 NW Washington, DC 20007 tel. 202 342 6211 maximage@mindspring.com

September 27, 2013

Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

Re: BZA Variance and Special Exception Application No. 18653; 3206 Grace Street, NW;
Foundation Sweet Success and Dog Tag Bakery.

Dear Members of the Board,

I live at 3210 Grace Street, Suite 207 NW, within 200 feet of Dog Tag Bakery's proposed site at 3206 Grace Street, NW. I understand that Dog Tag is proposing to operate a bakery/cafe which will also include the baking and sale of dog biscuits; and that variance and special exception relief is required for Dog Tag to operate their proposed use on both floors of the Grace Street building.

I understand that Dog Tag Bakery will be a non-profit enterprise with the primary objective being the employment and training of disabled American service veterans. I think that the proposed use will be a great addition to the neighborhood and urge the Board to approve the Application.

Sincerely,

A handwritten signature in black ink, appearing to read 'CD Anderson', with a long, sweeping horizontal line extending to the right.

Carl D. Anderson



September 27, 2013

Board of Zoning Adjustment
441 4th Street, NW
Suite 201S
Washington, DC 20001

Re: BZA Variance and Special Exception Application No. 18653; 3206 Grace Street, NW;
Foundation Sweet Success and Dog Tag Bakery

Dear Members of the Board:

EagleBank has a commercial banking relationship with Dog Tag Bakery. We understand that Dog Tag is proposing to operate a bakery and café which will also include the baking and sale of dog biscuits and that the variance and special exception relief is required for Dog Tag to operate their proposed use on both floors of the Grace Street building.

We understand that Dog Tag Bakery will be a non-profit enterprise with the primary objective being the employment and training of disabled American service veterans. EagleBank wholeheartedly supports this mission and we respectfully urge the Board to approve this Application.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael K. Kuhns II".

Michael K. Kuhns II
Senior Portfolio Manager

2001 K Street, N.W., Suite 204
Washington, D.C. 20006
Fax 202-292-1654

Julia S. Padierna-Peralta

September 29, 2013

Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

Re: BZA Variance and Special Exception Application No. 18653; 3206 Grace Street,
NW; Foundation Sweet Success and Dog Tag Bakery.

Dear Members of the Board,

I live at *Julia Padierna-Peralta*, NW, within 200 feet of Dog Tag Bakery's proposed site at 3206 Grace Street, NW. I understand that Dog Tag is proposing to operate a bakery/cafe which will also include the baking and sale of dog biscuits; and that variance and special exception relief is required for Dog Tag to operate their proposed use on both floors of the Grace Street building.

I understand that Dog Tag Bakery will be a non-profit enterprise with the primary objective being the employment and training of disabled American service veterans. I think that the proposed use will be a great addition to the neighborhood and urge the Board to approve the Application.

Sincerely,



Julia Padierna-Peralta

Exhibit D

Revised Plans

DOG TAG BAKERY

3206 GRACE STREET NW, WASHINGTON D.C. 20007

RICH MARKUS ARCHITECTS

2601 P STREET SECOND FLOOR WASHINGTON D.C. 20007

LOT : 0121

SQUARE : 1188

PROPOSED STEEL STRUCTURE AND GLASS ENCLOSURE ON ROOF

OGB CONCEPT REVIEW DATE : 15 AUGUST 2013

OGB RESUBMISSION DATE : SEPTEMBER 19, 2013

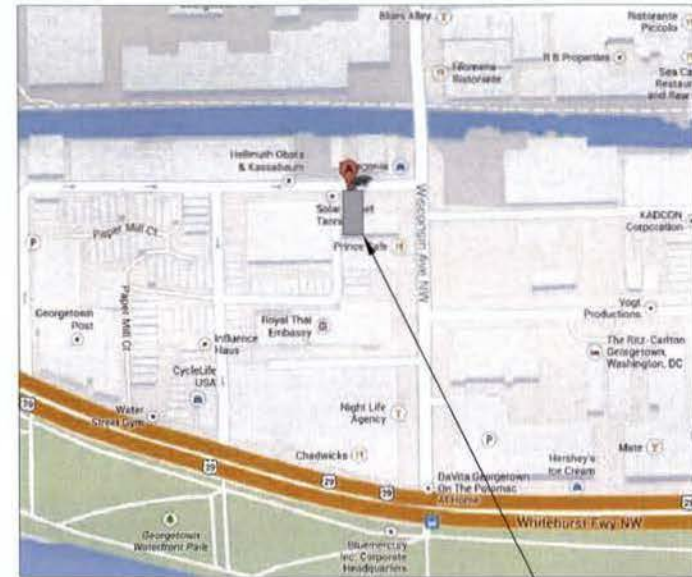
BUILDING OWNER :

FOUNDATION SWEET SUCCESS
OGDEN CAP PROPERTIES, LLC
545 MADISON AVENUE, 6TH FLOOR
NEW YORK, NY 10022

ARCHITECTURAL DRAWINGS

A000	COVER SHEET
A001	EXISTING PHOTOGRAPHS
A100	EXISTING SITE PLAN
A101	EXISTING FLOOR PLAN
A102	PROPOSED SITE PLAN
A200	PROPOSED FLOOR PLANS
A300	EXISTING NORTH AND SOUTH ELEVATIONS
A301	EXISTING EAST AND WEST ELEVATIONS
A302	PROPOSED NORTH ELEVATION
A303	PROPOSED EAST ELEVATIONS
A304	PROPOSED WEST ELEVATIONS
A305	PROPOSED SOUTH ELEVATION
A400	PROPOSED 3D SCHEMATIC VIEWS

VICINITY MAP - NOT TO SCALE



DOG TAG BAKERY

RICH MARKUS ARCHITECTS
2601 P STREET NW, 2ND FLR
WASHINGTON DC 20007
202.333.2733 / 202.333.2944

DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

COVER PAGE

SEP 19, 2013
REVISIONS

AS SHOWN

AUG 15 2013
ISSUE

A000

DRAWING NUMBER



DOG TAG BAKERY - FRONT VIEW



DOG TAG BAKERY - FRONT VIEW



DOG TAG BAKERY - SIDE VIEW



DOG TAG BAKERY - SIDE VIEW

RICH MARKUS ARCHITECTS
2601 P STREET NW, 2ND FLR
WASHINGTON DC 20007
202.333.2733 / 202.333.2944

DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

EXISTING PHOTOGRAPHS

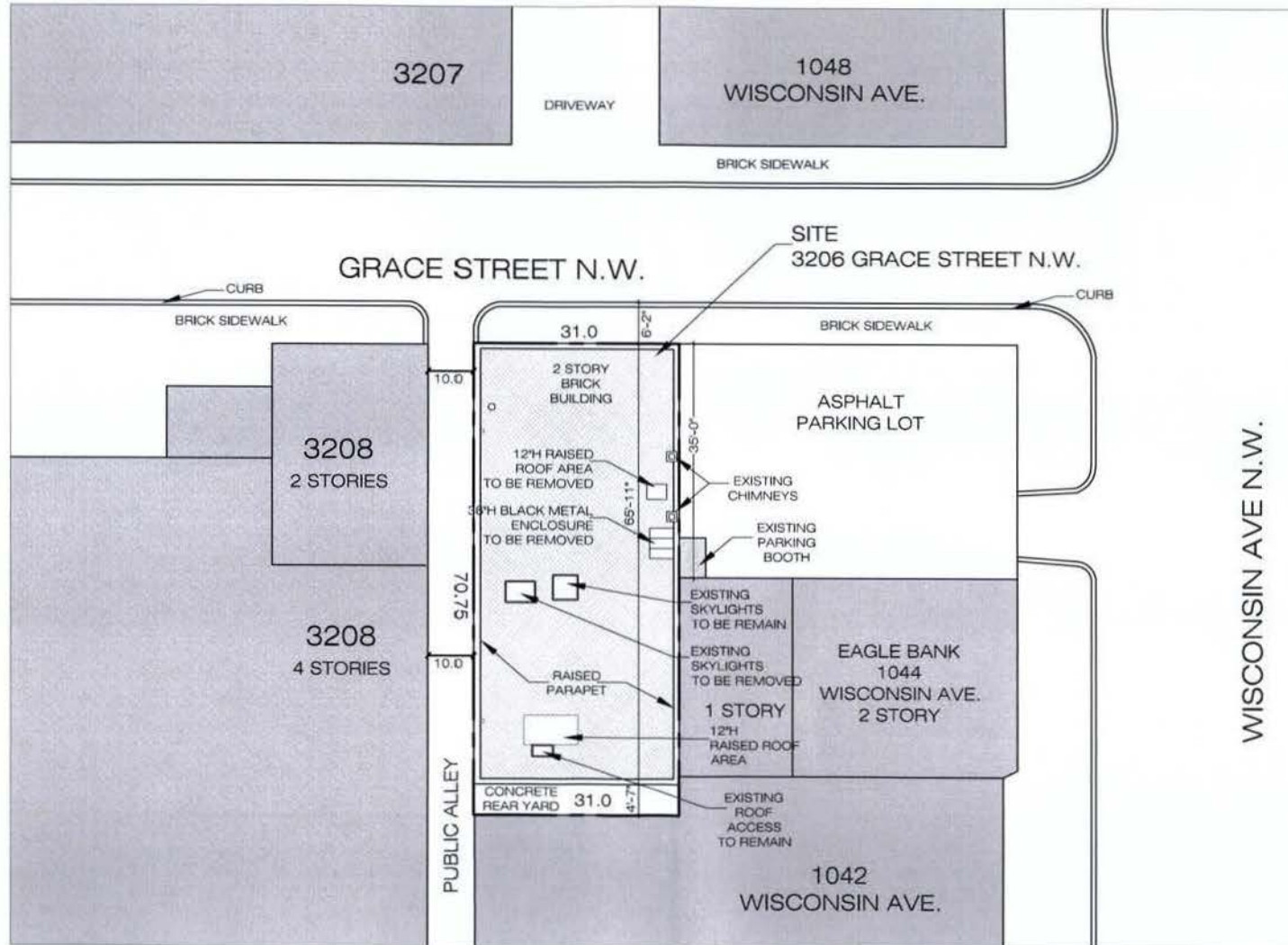
REVISIONS

AS SHOWN

AUG 15 2013

A001

DRAWING NUMBER



1 EXISTING SITE PLAN
1/16" = 1'-0"



RICH MARKUS ARCHITECTS
2501 P STREET NW, 2ND FLR
WASHINGTON DC 20007
202.333.2733 / 202.333.2944

DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

EXISTING
SITE PLAN

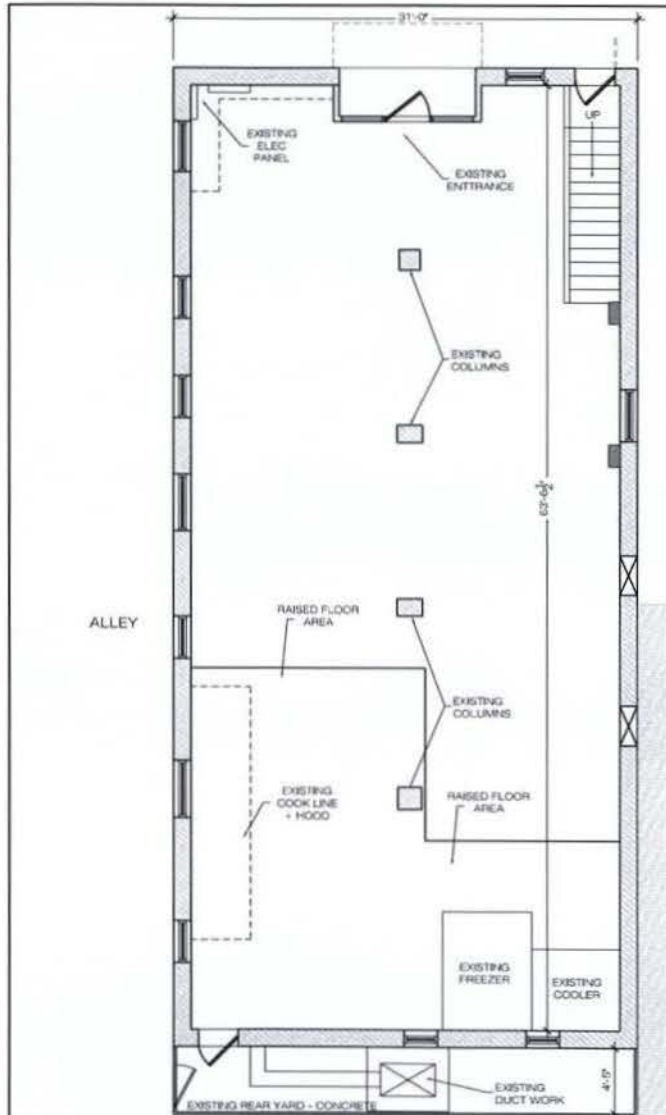
SEP 19, 2013
REVISIONS

1/16" = 1'-0" SCALE

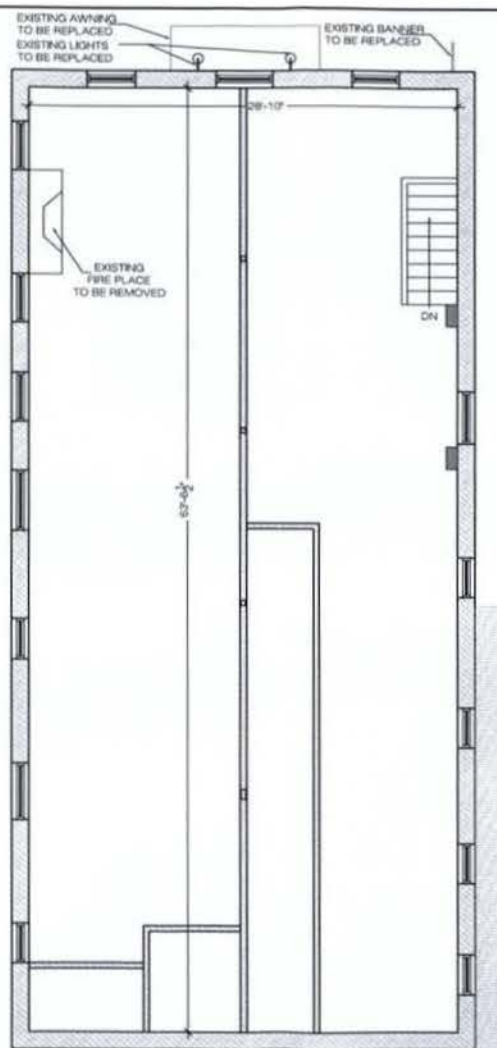
AUG 15 2013 ISSUE

A100

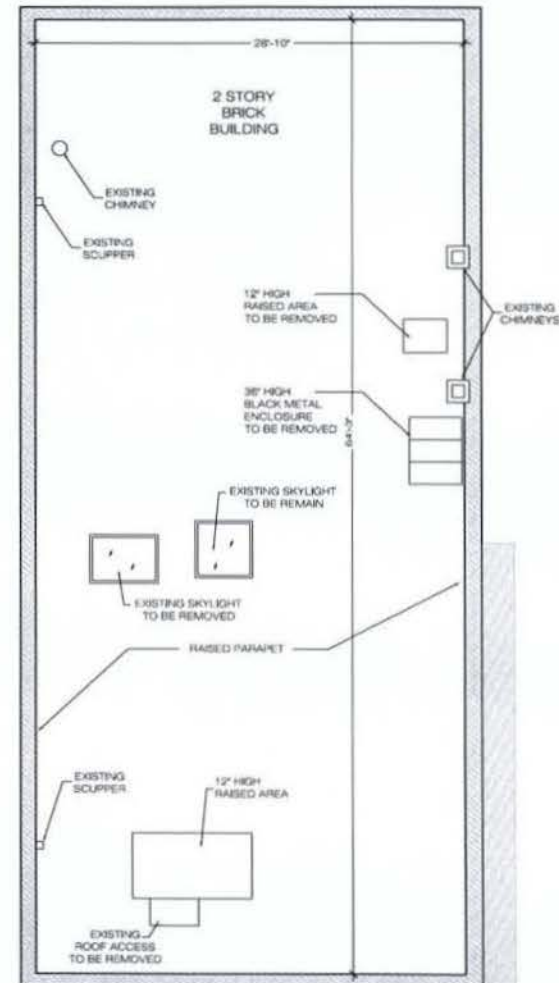
DRAWING NUMBER



1 DOG TAG BAKERY
EXISTING FIRST FLOOR PLAN
1/8" = 1'-0"



2 DOG TAG BAKERY
EXISTING SECOND FLOOR PLAN
1/8" = 1'-0"



3 DOG TAG BAKERY
EXISTING ROOF PLAN
1/8" = 1'-0"

NEW WALL
EXISTING WALL



RICH MARKUS ARCHITECTS
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WASHINGTON DC 20007
202.333.2733 / 202.333.2944

DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

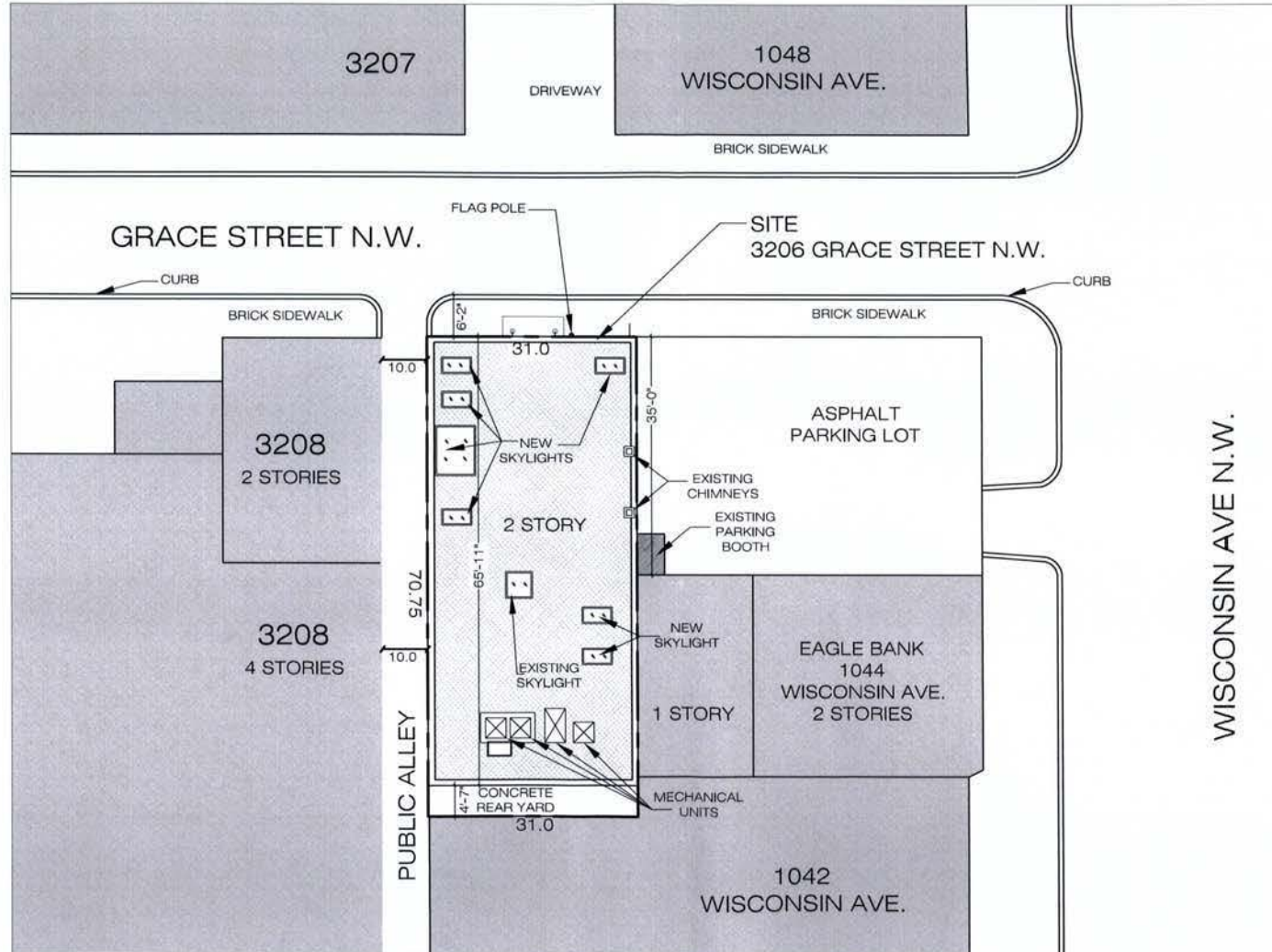
EXISTING
FLOOR PLANS

SEP 3, 2013
REVISED

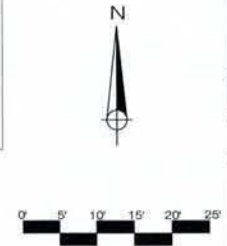
1/8" = 1'-0"
SCALE

AUG 15 2013
DATE

A101
DRAWING NUMBER



1 PROPOSED SITE PLAN
1/16" = 1'-0"



RICH MARKUS ARCHITECTS
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DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

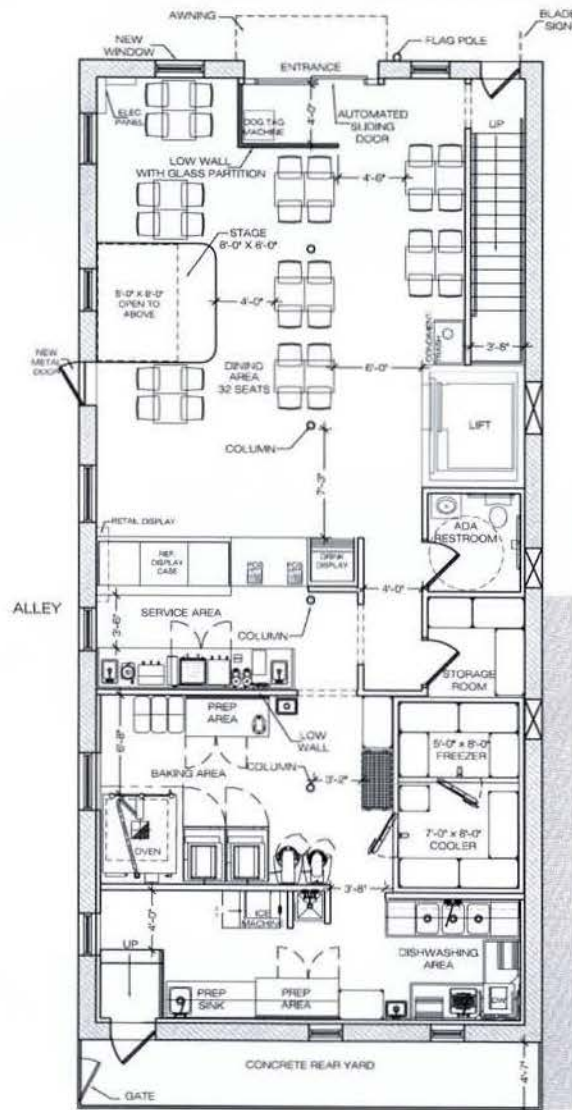
PROPOSED
SITE PLAN

SEP 3, 2013
REVISED

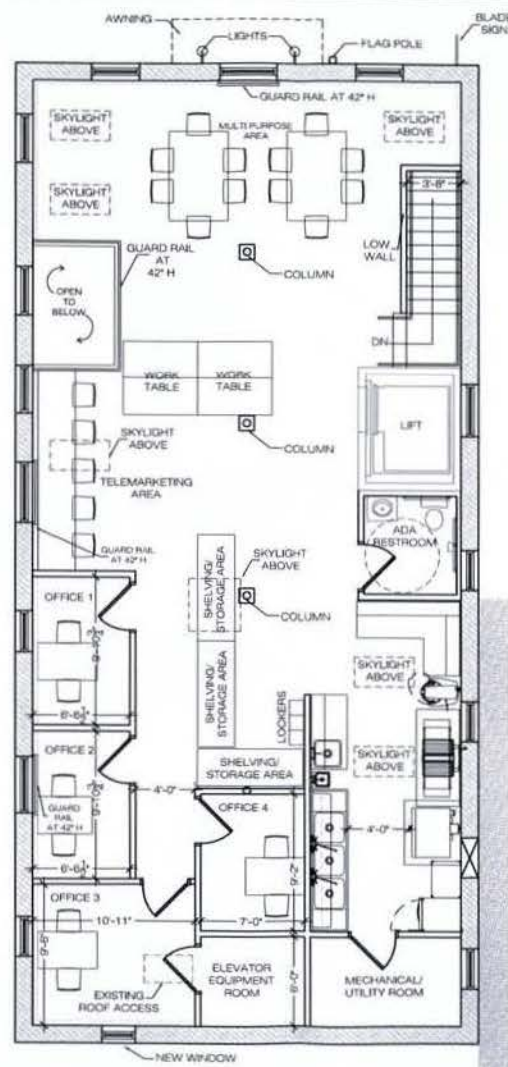
1/16" = 1'-0"
SCALE

AUG 15 2013
DATE

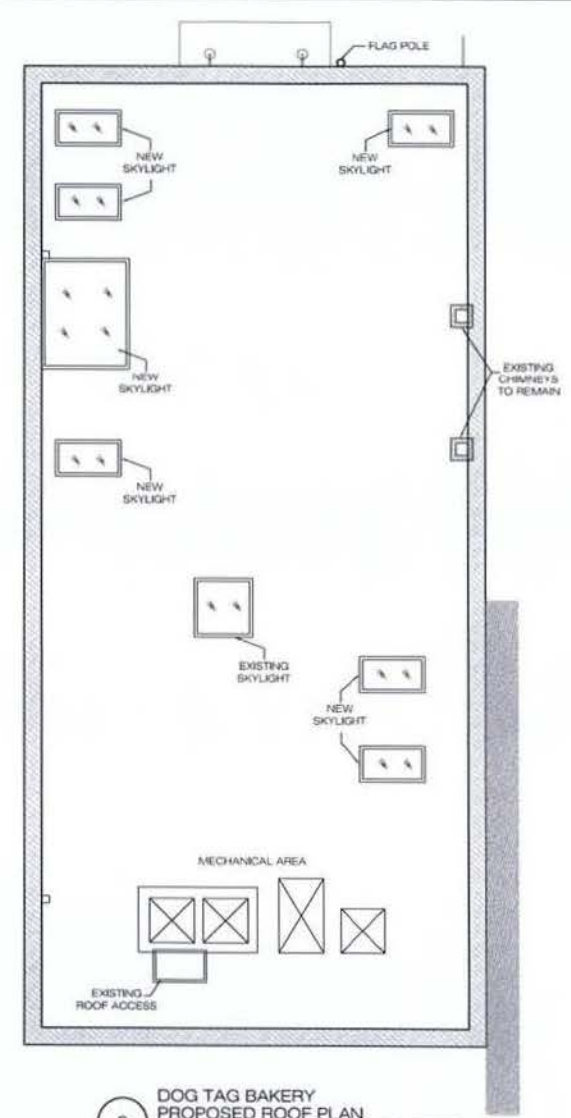
A102
DRAWING NUMBER



1 DOG TAG BAKERY
PROPOSED FIRST FLOOR PLAN
1/8" = 1'-0"

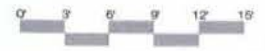


2 DOG TAG BAKERY
PROPOSED SECOND FLOOR PLAN
1/8" = 1'-0"



3 DOG TAG BAKERY
PROPOSED ROOF PLAN
1/8" = 1'-0"

NEW WALL
EXISTING WALL



RICH MARKUS ARCHITECTS
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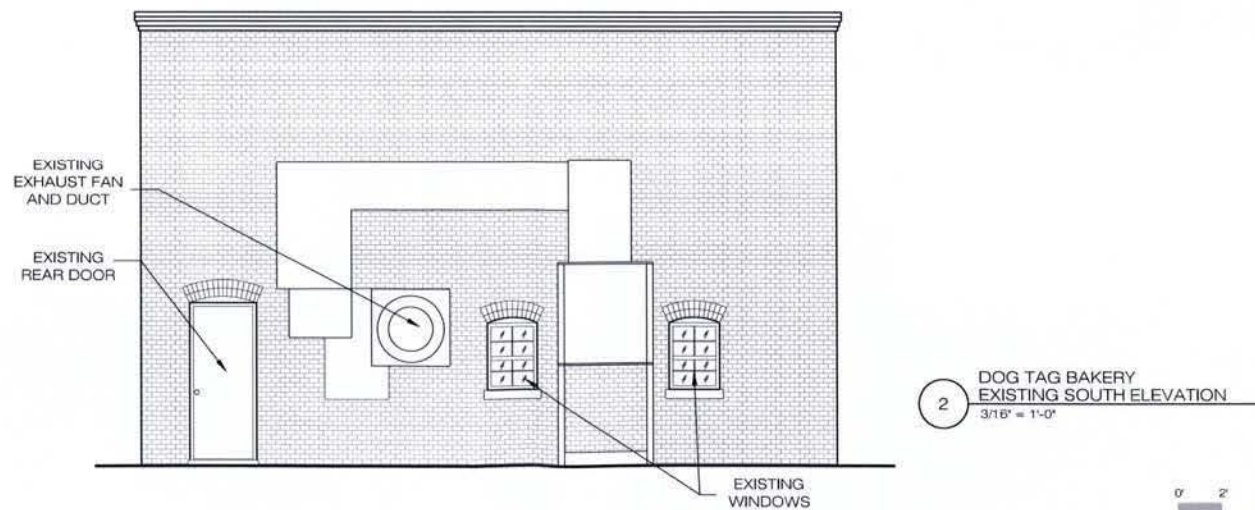
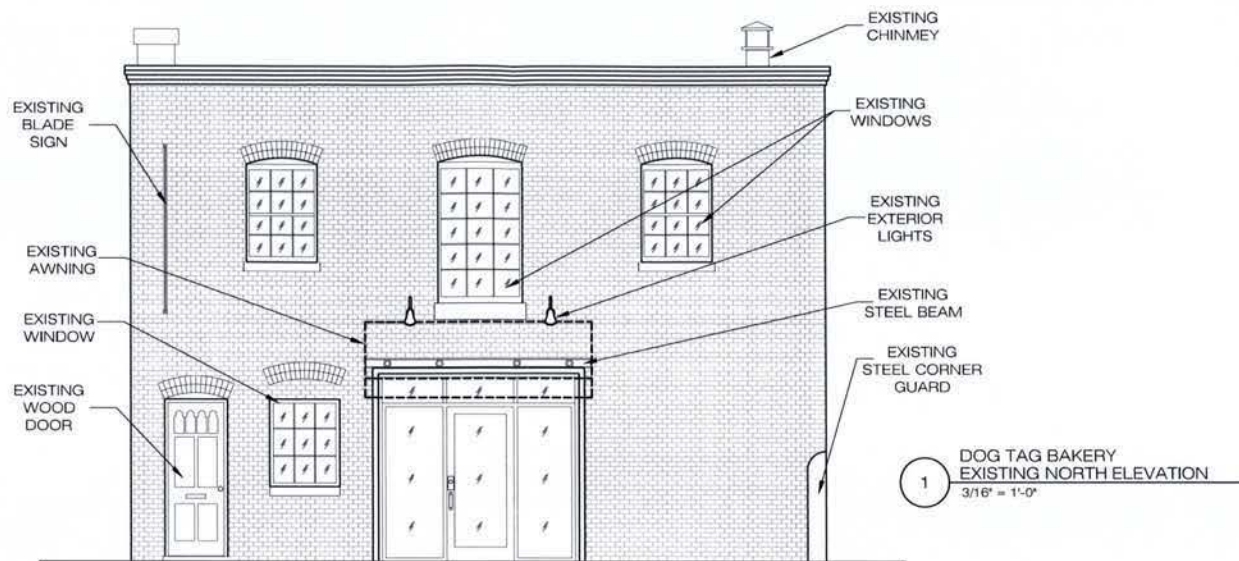
DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

PROPOSED 1ST, 2ND & 3RD
FLOOR PLAN

REVISED 2013
SEP 20, 2013

1/8" = 1'-0"
AUG 15, 2013

A200
DRAWING NUMBER



RICH MARKUS ARCHITECTS
2601 P STREET NW, 2ND FLR
WASHINGTON DC 20007
202.333.2733 / 202.333.2944

DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

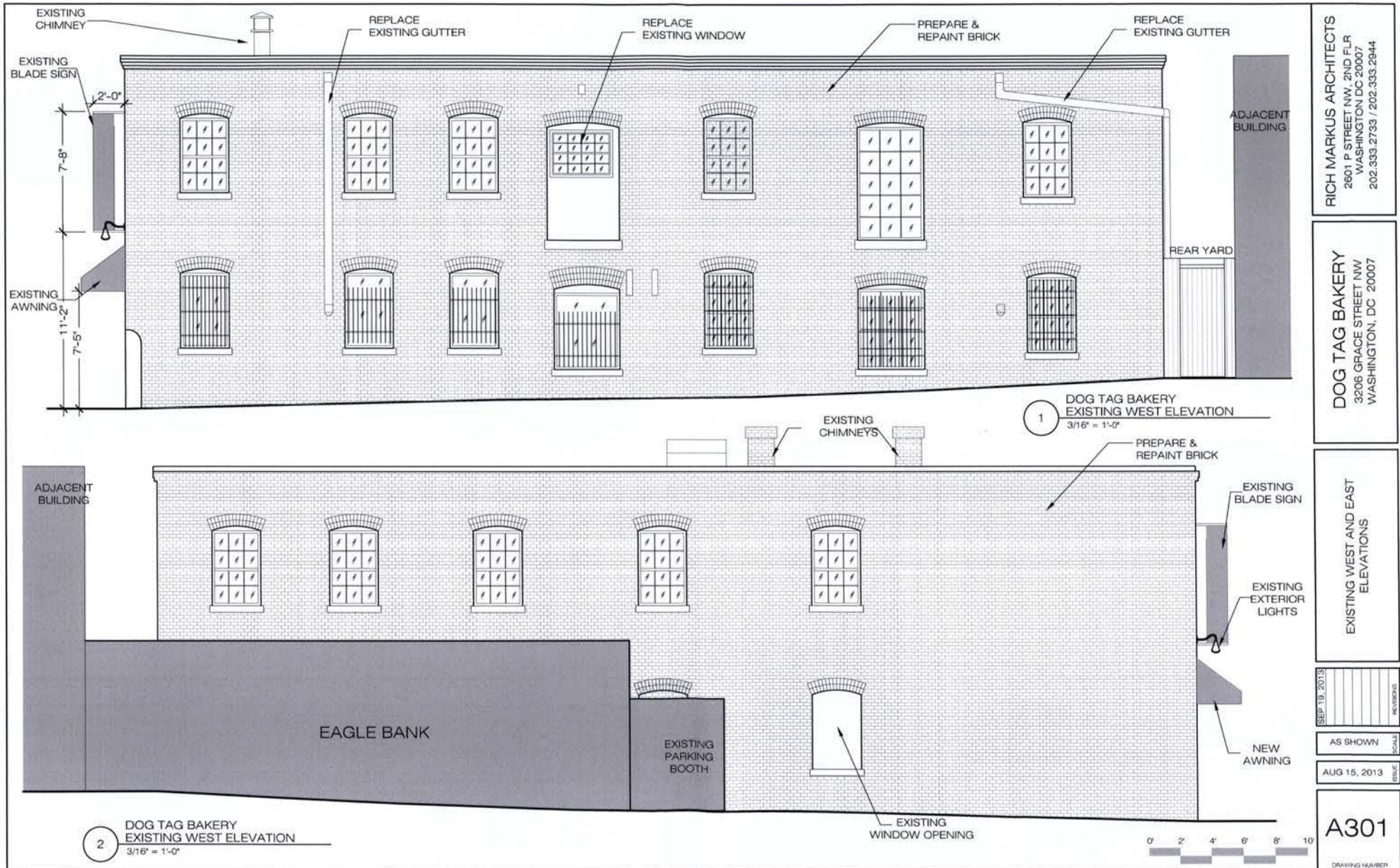
EXISTING NORTH AND SOUTH
ELEVATIONS

SEP 19, 2013	REVISIONS

AS SHOWN SCALE

AUG 15, 2013 ISSUE

A300
DRAWING NUMBER



RICH MARKUS ARCHITECTS
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DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

EXISTING WEST AND EAST
ELEVATIONS

SEP 19, 2013
AS SHOWN
AUG 15, 2013

A301
DRAWING NUMBER



ADJACENT
BUILDING

EAGLE BANK

EXISTING
PARKING
BOOTH

MECHANICAL
UNITS

PREPARE &
REPAINT BRICK

EXISTING
CHIMNEYS
TO REMAIN

30' VERTICAL
WALLMOUNT
FLAG POLE

NEW
BLADE
SIGN

NEW
AWNING

1 DOG TAG BAKERY
PROPOSED EAST ELEVATION
3/16" = 1'-0"

PROVIDE BRICK
INFILL WITH 1/2"
RECESS

NOTE :
ALL WINDOWS WILL BE REPLACED WITH
NEW WOOD WINDOWS, PAINTED IN EXISTING
OPENINGS UNLESS NOTED OTHERWISE



RICH MARKUS ARCHITECTS
2601 P STREET NW, 2ND FLR
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DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

PROPOSED EAST ELEVATIONS

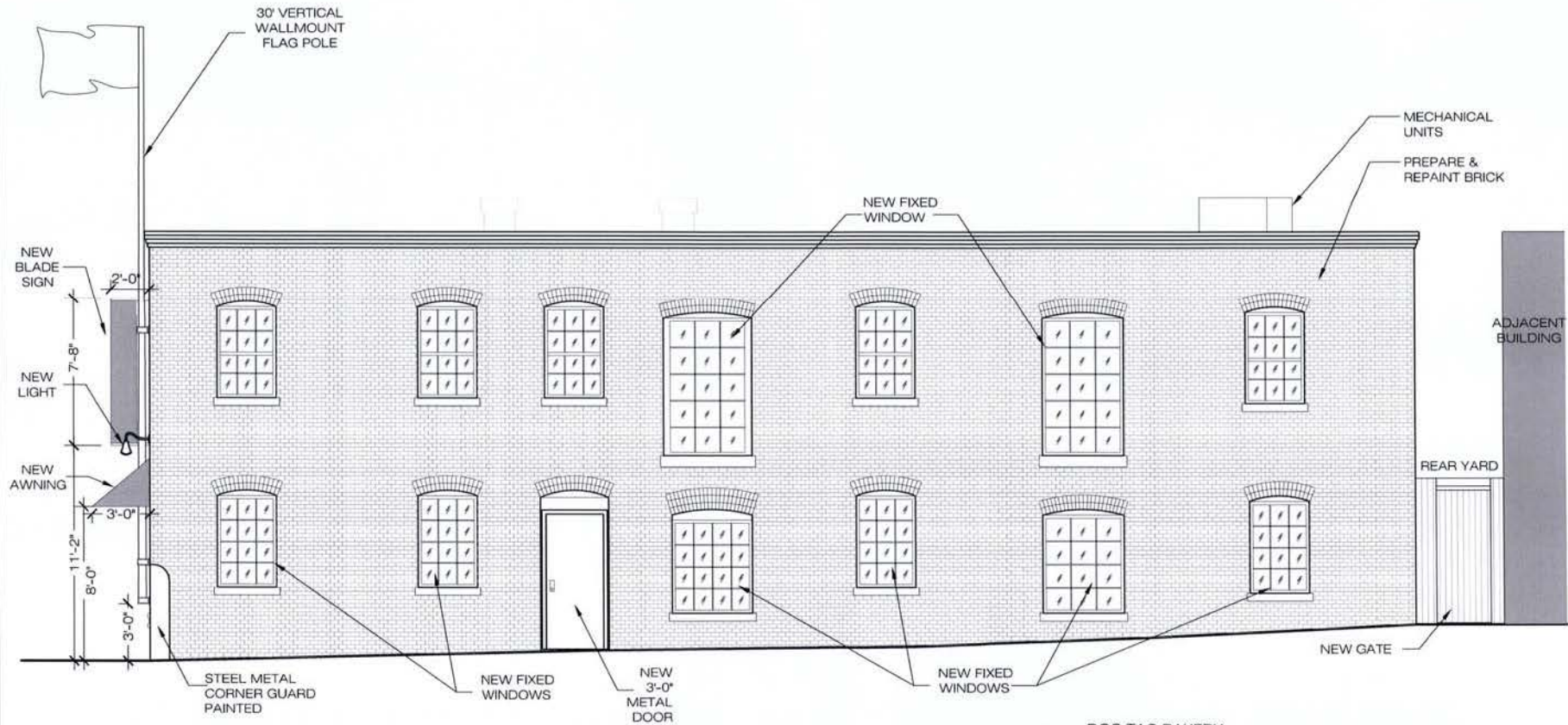
SEP 19, 2013	REVISIONS

AS SHOWN SCALE

AUG 16, 2013 ISSUE

A303

DRAWING NUMBER



1 DOG TAG BAKERY
PROPOSED WEST ELEVATION
3/16" = 1'-0"

NOTE :
ALL WINDOWS WILL BE REPLACED WITH
NEW WOOD WINDOWS, PAINTED IN EXISTING
OPENINGS UNLESS NOTED OTHERWISE



RICH MARKUS ARCHITECTS
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202.333.2733 / 202.333.2944

DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

PROPOSED WEST ELEVATION

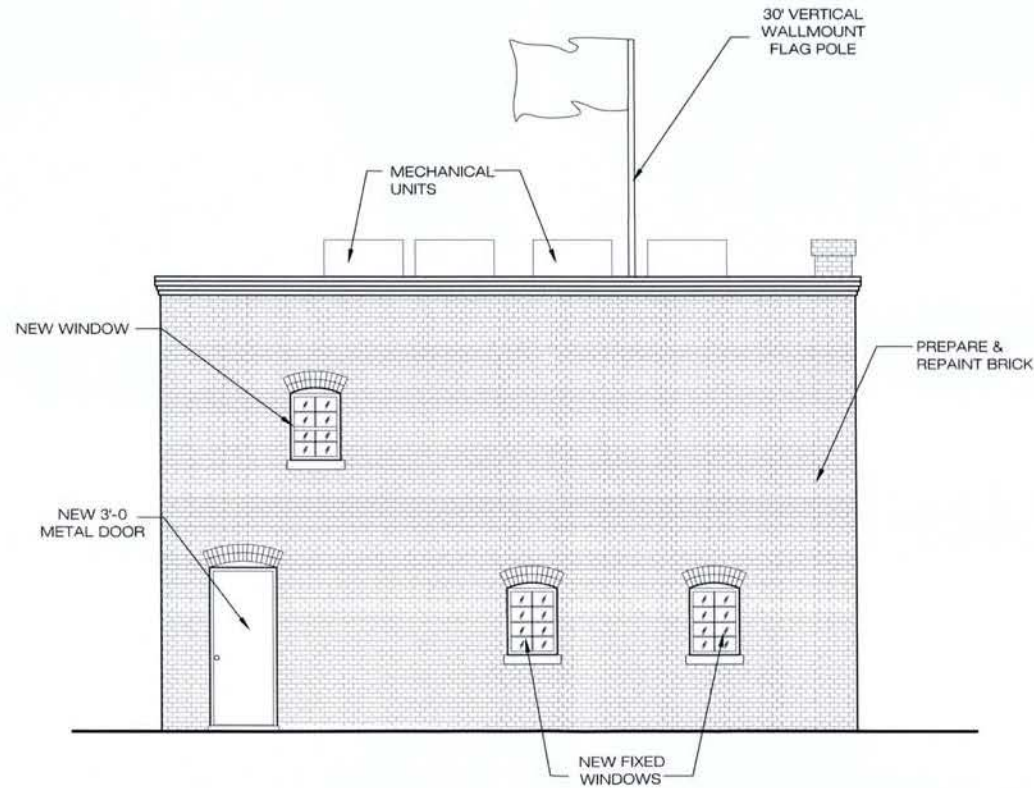
SEP 19, 2013
REVISIONS

AS SHOWN

AUG 15, 2013

A304

DRAWING NUMBER



1 DOG TAG BAKERY
PROPOSED SOUTH ELEVATION
3/16" = 1'-0"

NOTE :
ALL WINDOWS WILL BE REPLACED WITH
NEW WOOD WINDOWS, PAINTED IN EXISTING
OPENINGS UNLESS NOTED OTHERWISE



RICH MARKUS ARCHITECTS
2601 P STREET NW, 2ND FLR
WASHINGTON DC 20007
202.333.2733 / 202.333.2944

DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

PROPOSED SOUTH ELEVATION

SEP 19, 2013
REVISIONS

AS SHOWN
SCALE

AUG 15, 2013
ISSUE

A305

DRAWING NUMBER



DOG TAG BAKERY - PROPOSED SCHEMATIC VIEW



DOG TAG BAKERY - PROPOSED SCHEMATIC VIEW FROM WISCONSIN AVE NW



DOG TAG BAKERY - PROPOSED SCHEMATIC STOREFRONT VIEW



RICH MARKUS ARCHITECTS
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DOG TAG BAKERY
3206 GRACE STREET NW
WASHINGTON, DC 20007

PROPOSED SCHEMATIC VIEW
OF DOG TAG BAKERY

SEP 18, 2013
SEP 26, 2013
REV: 001

NOT TO SCALE

AUG 15 2013

A400

DRAWING NUMBER